recent developments

INTERNATIONAL

Penny Cresswell

Asia-Pacific Partnership on Clean Development and Climate

The Autumn 2006 edition of NELR reported on the Asia-Pacific Partnership on Clean Development and Climate, a regional partnership between the United State of America, China, India, Japan, Australia and the Republic of Korea to reduce greenhouse gases (**AP6**). The focus of AP6 is investment in technologies to clean up existing energy production and renewables and it is promoted as 'complimentary' to the Kyoto Protocol, rather than a replacement.

In late October 2006 the Policy and Implementation Committee of AP6 met in Korea and endorsed an initial set of projects and activities based on eight sector-based Action Plans: three energy supply sectors: cleaner fossil energy, renewable energy and distributed generation and power generation and transmission; and five energy intensive sectors: steel, aluminium, cement, coal mining and buildings and appliances. The initial projects are weighted towards activities such as sectoral assessments, capacity building, identifying best practices and technology research and demonstration. Almost all of the actions identified will involve business and some of the actions will be undertaken either primarily or exclusively by companies and associations representing business. Actions proposed by the Cleaner Fossil Energy Taskforce include cooperative work to develop and share post combustion and carbon capture and storage technologies and clean coal workshops. Projects for the Renewable Energy and Distributed Generation Taskforce include development of technology for ultra high efficiency solar power stations in Australia and biofuel promotion in the USA.

The Executive Summary of the Action Plans and the Action Plans, as well as other information on AP6 are available via the Australian Department of Foreign Affairs web page:http://www.dfat.gov.au/environment/climate/ap6/index.html

East Asian Summit - Energy Security Pact – focus on alternative fuels

On 15 January 2007 Asian and Pacific leaders of the ten ASEAN southeast Asian nations and the dialogue partners Australia, New Zealand, India, Japan, China and South Korea signed the Cebu Declaration on East Asian Energy Security. The pact is aimed at securing energy supplies in the region and working together to find alternatives to fossil fuels. The group accounts for over half the world's population and ASEAN data estimates that southeast Asian greenhouse gas emissions will possibly triple by 2030, with energy demand doubling in that period.

The leaders of the 16 nations agreed to work together to improve efficiency and environmental performance of fossil fuel use and the reduce dependence on conventional fuels through intensified energy efficiency and conservation programs, hydropower, expansion of renewable energy systems and biofuels and, for interested parties, civilian nuclear power. Emphasis was placed on biofuels using crops such as sugar and palm oil, which are currently large regional export commodities. The Cebu Declaration does not include any 'targets' for emissions reductions and goals and action plans for improving energy efficiency are to be set individually and voluntarily.

A further measure agreed to in the Cebu Declaration is the promotion of clean use of coal and development of clean coal technologies. On 15 January 2007 the Australian Prime Minister the Chinese Premier Wen Jiabao also agreed to set up a working party to promote cooperation on developing and using clean coal. The Australia-China Joint Coordination Group on Clean Coal Technology is expected to have its inaugural meeting in April 2007.

IPCC Report – Climate Change 2007: The Physical Science Basis – it's getting warmer due to human activity

On 2 February 2007 the Intergovernmental Panel on Climate Change (IPCC) released the Summary for Policymakers of volume one of its much anticipated 4th assessment report: Climate Change 2007: The Physical Science Basis. It provides a more certain and bleaker picture than the previous report in 2001. Improvements

in climate modelling and the collection and analysis of data since 2001, have given the scientists "very high confidence" (90%) in their understanding of how human activities are causing global warming.

The report concludes that changes in the atmosphere, the increases in air and ocean temperatures, rises in sea levels and declines in glacier and snow cover show 'unequivocally' that the world is warming. The report also concludes that it is *very likely* that the increases in temperatures since the mid-20th century are due to the human-caused increase in greenhouse gases concentrations.

The Summary of the report was adopted, and the underlying report accepted, by 113 governments in Paris on 2 February 2007. The Summary for Policymakers of the IPCC report is available via the IPCC website: http://www.ipcc.ch/

United Nations Environment and Development Programmes – tackling poverty and protecting the environment in the poorest nations

On 6 February 2007 the United Nations Environment Program (UNEP) and the United Nations Development Program (UNDP) launched the joint Poverty and Environment Facility during the 24th session of the UNEP Governing Council/ Global Ministerial Environment Forum in Nairobi. The Facility is designed to assist developing countries in integrating sound environmental management into their poverty reduction and growth policies and attracting investment in the environment, with an emphasis on Africa and Asia.

The main carbon trading system under the Kyoto Protocol is the Clean Development Mechanism (CDM), which allows companies in the industrialised world to gain carbon credits which they can use at home by financing emission cutting technologies in poorer nations. While significant projects have been introduced in the fast-industrialising countries, such as China, India and Brazil, there are only four projects in Africa, all of which are in South Africa. This year, under the UNDP-UNEP Climate Partnership, which is aimed at equipping developing nations to tackle environmental challenges, five sub-Saharan African nations will take part in a new project designed to help the poorer nations benefit from and utilise the Kyoto Protocol's CDM.

Another development at the UNEP Governing Council session in February was the agreement by 140 governments to an enhanced voluntary program to reduce health and environmental threats from toxic mercury pollution. The success of the voluntary program will be assessed after two years, with consideration given to whether a new international and legally-binding treaty should be negotiated. Information on the mercury program is available at: http://www.chem.unep.ch/MERCURY/.

Other materials from the UNEP February forum can be found at: http://www.unep.org/gc/gc24/.

European Union's Energy Package – 20% cut in greenhouse gases by 2020

On January 10 2007, the European Commission (**EC**) published a Communication, Limiting Global Climate Change to 2 degrees celsius : The Way Ahead for 2020 and Beyond, addressed to the Spring European Council taking place on 8-9 March in Brussels. In the EC's view the EU must take the lead to ensure the 2 degree global warming limit is respected, to prevent irrevocable consequences.

Also on 10 January 2007 the EC proposed a comprehensive package of measures for a new Energy Policy in the EU, to tackle climate change and improve the EU's energy security and competitiveness. Central to the proposals is a binding target to reduce the EU's greenhouse gas emissions by 20% in 2020 compared with 1990 levels, primarily through energy measures. The new energy package is based on three key elements: (1) speeding up the move to low carbon energy with a proposal for 20% of its energy to be from renewable sources by 2020, with a minimum target for biofuels of 10%; (2) an objective of saving 20% of total primary energy consumption by 2020 and (3) the development of a true internal energy market. EU Environment Ministers are to discuss the energy package on 20 February 2007.

Stavros Dimas, Commissioner for the Environment said the objective should be pursued "unilaterally ... even if there is no international agreement on reducing greenhouse-gas emissions" after 2012 when the Kyoto targets expire. He has also urged the international community, including the United States, to begin negotiations on a treaty to succeed Kyoto. The EC's central proposal for a future global agreement is that developed countries should cut their greenhouse gas emissions to an average of 30% below 1990 levels by 2020. The EU could increase its proposed commitment to a 20% reduction to 30% as part of a satisfactory global agreement.

Californian Developments – new legislation and talks of joining the EU emissions trading scheme

The *California Global Warming Solutions Act* of 2006, signed by Governor Schwarzenegger recently establishes a state-wide target for greenhouse gas reductions by 25% by 2020 and requires the Air Resources Board (ARB) (a department of the Californian Environmental Protection Agency) to adopt a plan and individual measures to achieve the reductions. The ARB held its first public meeting in late January 2007 and has outlined various deadlines leading up to 2012, when its plan to meet the 2020 mandate must be finalised. The new Act gives the ARB wide ranging powers including to decide which industries should cap emissions, to adopt caps and emissions regulations for those industries and create a market-based emissions trading scheme. A rough draft of the ARB plan is expected in 2009 although various measures, including in relation to reporting will commence much sooner.

In mid January 2007 the Governor announced that he will ask the ARB to require California's oil companies to cut by 10% the greenhouse gases associated with the production and use of their products. It is anticipated that cuts would be achieved by use of alternative fuels such as ethanol and gasoline blends.

The European Union's Environment chief, Stavros Dimas, is working closely with California to bring it into the 27-nation EU emissions trading scheme. Establishing such a connection is likely to take up to 2 years. The UK Secretary of Sate for Environment, David Miliband, also proposes to write to nine US States, including California, to link-up with the EU scheme, when the Kyoto agreement lapses in 2012. An emissions trading scheme for the North-East States in the USA is also being planned.

AMSA NEWS

Lisa Holman

Entry into force of revised MARPOL Annexes I and II

On 1 January 2007, revised versions of Annexes I (prevention of pollution by oil) and Annex II (prevention of pollution by noxious liquid substances) of the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78) entered into force internationally and for Australia. The revised Annex I incorporates the various amendments adopted since MARPOL entered into force in 1983, separates the construction and equipment provisions from the operational requirements and makes clear the distinctions between the requirements for new ships and those for existing ships. The revision provides a more user-friendly, simplified instrument.

The revised Annex II includes a new four-category system for noxious and liquid substances. The revised Annex also includes a number of other significant changes. Improvements in ship technology, such as efficient stripping techniques, have made possible significantly lower permitted discharge levels of certain products which have been incorporated into the Annex.

More information about the revised Annexes I and II is available at the Australian Maritime Safety Authority website: www.amsa.gov.au.

Maritime Legislation Amendment (Prevention of Air Pollution from Ships) Bill 2006

The Maritime Legislation Amendment (Prevention of Air Pollution from Ships) Bill 2006 was passed on 1 March 2007. This legislation will give effect to Annex VI of the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78), with entry into force expected in July/August 2007.

Annex VI is titled "Regulations for the Prevention of Air Pollution from Ships", and deals with nitrogen oxide (NOx) and sulphur oxide (SOx) emissions, fuel oil quality, onboard incineration and restrictions on the use and release of ozone depleting substances. The International Maritime Organization, which administers the MARPOL 73/78 Convention, is currently considering matters related to the reduction of greenhouse gas emissions from ships. These deliberations may result in future amendments to Annex VI.

More information about Annex VI, and MARPOL 73/78 generally, is available at the IMO website www.imo.org. Information on Australian implementation can be found on the Australian Maritime Safety Authority website: www.amsa.gov.au.